PTO/SB/26 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

	Reduction Act of 1995, no persons are required to re		
/ TERMIN	AL DISCLAIMER TO OBVIATE A D		Docket Number (Optional)
OCT 2 5 2004	REJECTION OVER A PRIOR P	ATENT	1094-1-022/CIP4/D-B/
Inne Application of Andrew Goodearl et al.			
Application No. 98/734,592			
Filed: October 22, 1996			
For: GLIAL MITOGENIC FACTORS, THEIR PREPARATION AND USE Acorda Therapeutics, Inc. and Ludwig Institute For combined The owner*, Cancer Research of 100% percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. *** The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns. *** U.S. Appln. No. 08/468,731			
In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.			
Check either box 1 or 2 below, if appropriate.			
1. For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.			
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.			
2. X The under	signed is an attorney or agent of record.	X AND	10/20/04
5/2004 MAHMED1 00000	014 08734592	Signature	Date
C:2814	55.00 OP	David A. Jackson, Esq.,	Reg. No. 26.742
		Typed or prin	
		201-487-5800	
Telephone Number			umber
$\overline{\mathrm{X}}$ Terminal discla	aimer fee under 37 CFR 1.20(d) included.	\$55.00 Small Entity	
WA	RNING: Information on this form may become cluded on this form. Provide credit card in	ne public. Credit card information sh	ould not -2038.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

10/ 03